

## **ARTICLE XXIII**

### **MANUFACTURING & SERVICE PARK ZONE**

#### **SECTION 23.01 PURPOSES**

Manufacturing and Service Parks provide for quality working environments and intend to achieve a harmonious mixture of uses which might otherwise be considered incompatible when located close to other non-industrial uses. Activities are intended to promote employment opportunities in manufacturing, service, research and development, engineering and wholesale trade within a zone and many other employment opportunities outside one. In addition, the Manufacturing and Service Parks are intended to advance the following objectives:

1. To reserve appropriately located areas for industrial use and protect these areas from intrusion by dwellings and other inharmonious uses.
2. To protect residential and commercial uses from noise, odor, dust, smoke, light intrusion, truck traffic, and other objectionable influences and to prevent fire, explosion, radiation, and other hazards incidental to certain industrial activities.
3. To provide sufficient open space around industrial structures to protect them from hazard and to minimize the effect of industrial operations on nearby residential or commercial zones.
4. To minimize traffic congestion, to eliminate excessive access drives on public roadways and to provide for efficient installation of utilities.
5. To engender joint control and maintenance of common elements of a manufacturing park- private roads, utilities, landscaping, signage and other amenities.

#### **SECTION 23.02 MANUFACTURING AND SERVICE PARK ZONE (MP) DEFINED**

Manufacturing and Service Park Zones are to be areas delineated for modern light industrial, research, and administrative facilities, and limited service commercial uses that can meet high performance and development standards in a highway and service oriented area. Retail commercial uses in conjunction with a permitted or conditional use are permitted to occupy up to twenty five (25) percent of the gross floor area.

#### **SECTION 23.03 PERMITTED AND CONDITIONAL USES**

The following uses shall be permitted uses where the symbol "(P)" appears and shall be permitted uses subject to a Special Use Permit where the symbol "(S)" appears in the column beside each use designation.

1. Manufacturing.
  - a. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared typical materials such as canvas, cellophane, cloth, cork, felt, fiber, fur, glass, leather, paper (no milling), precious or semi-precious stones or metals, plaster, plastics, shells, textiles, tobacco, wood, and yarns; novelty items (not including fireworks or other explosive type items), electrical and related parts; electrical appliances, motors, and computers; electronic television, phonograph, and computers; electronic precision instruments; medical and dental instruments; timing and measuring instruments; audio machinery; visual machinery; cosmetics, drugs, perfumes, toiletries, and soap (not including refining or rendering of fats or oils).

- b. Furniture upholstery.
- c. Rubber and metal stamp manufacturing.
- d. Laboratories; chemical, dental, electrical, optical, mechanical, and medical.
- e. Bottling plants.
- f. Fruit processing and packing houses.
- g. Fruit products manufacturing, including frozen foods.
- 2. Storage and Wholesale Trades
  - a. Mini storage, public storage, and storage warehouses.
  - b. Moving and storage firms.
  - c. Building materials and lumber storage yards or contractor's yards.
  - d. Building equipment storage, sales, rentals.
- 3. Services
  - a. Animal hospital or veterinary clinic - large and small animal
  - b. Automobile or truck services including, but not limited to, sales, rental agencies, body repair, painting, and car washes.
  - c. Blueprinting and photocopying.
  - d. Distributors, showrooms, and administrative offices.
  - e. Furniture sales, new and used.
  - f. Kennels.
  - g. Newspaper publishing, printing and distribution, general printing, and lithography.
  - h. Offices, businesses, medical professional, real estate, and research.
- 4. Public and Semi-Public Uses
  - a. Post offices and post terminals.
  - b. Public utility pumping stations, equipment buildings, and installations.
  - c. Public utility service yards.
  - d. Educational institutions, public or private including vocational schools.
- 5. Agricultural Uses
  - a. Hydroponic and hot house growing, including the sale of products raised on the premises.
- 6. Accessory uses
  - a. Accessory structures and uses located on the same site as a permitted or special use.
  - b. Incidental services for employees on a site occupied by a permitted or special use, including day care, recreational facilities, showers and locker rooms.
  - c. Watchmen's or caretaker's living quarters only when incidental to and on the same site as a permitted or special use.
- 7. Temporary Uses
  - a. Temporary uses may be allowed only as conditional uses and shall be related to the intended permanent use of the property.

#### **SECTION 23.04 PROPERTY DEVELOPMENT STANDARDS**

The following property development standards shall apply to all land and buildings other than accessory buildings authorized in this zone. Any legal lot may be used as a building site. Each building site shall have a minimum twenty five (25) foot wide vehicular access to a street.

- 1. General Requirements. The following requirements are minimums unless otherwise stated:
  - a. Lot area, net sq. feet twenty (20) acres
  - b. Lot width one hundred (100) feet

- c. Lot depth one hundred fifty (150) feet
  - d. Front yard setback twenty (20) feet
  - e. Side yard setback each side zero/ten (0/10) feet
  - f. Street yard side setback twenty (20) feet each side
  - g. Rear Setback zero/fifty (0/50) feet
  - h. Lot coverage, maximum fifty (50) percent
  - i. Building height, maximum thirty five (35) feet
  - j. Distance between detached twenty (20) foot structures on the same lot, measured in linear feet between eaves.
  - k. Off-street parking. Sufficient parking shall be provided to accommodate all employees and projected patrons. One (1) space/every employee (in largest shift), one (1) space/every seventeen hundred (1700) square feet of warehouse or wholesale area and one (1) space/one hundred fifty (150) square feet for retail shall be used as guides.
2. Special Requirements
- a. When any lot in an MP zone abuts a lot in any residential zone, a minimum setback of fifty (50) feet shall be required in the MP zone. Said setback may be used for required off-street parking areas. The setback may be increased by the Township Board in situations where additional distance would help to mitigate or alleviate potential problems or hazards.
  - b. When any MP zone or rear yard abuts a non-residential zone, the respective minimum setback may be reduced to zero.
  - c. Along all street frontages, street trees, a minimum two and one half (2-1/2) inch cal., and an equivalent of fifty (50) foot o.c., shall be planted. Along all major roads abutting or within an MP zone, a setback of at least one hundred fifty (150) feet shall be required. At all lot lines adjacent to residential zones a six (6) foot high opaque wall shall be constructed or trees and shrubs sufficiently dense to provide an opaque screen shall be planted. Fences shall blend in with site architecture. Alternatively, lesser landscaping or fencing may be done if a greater setback is provided.
  - d. Streetscapes shall be landscaped to provide transition from the street to the building. Patios, parking and circulation spaces can be included in setback areas to help buffer adjoining parcels from one another, as long as these areas are landscaped.
  - e. Reciprocal ingress and egress, service drives, and parking arrangements shall be required where possible and feasible to facilitate ease of vehicular movement between adjoining properties and to limit superfluous driveways.
  - f. All development in the floodplain shall be in accordance with the National Flood Insurance Requirements and local ordinances.

### **SECTION 23.05 PERFORMANCE STANDARDS**

- 1. The road frontage and setbacks from residential areas shall be landscaped. Landscaping shall consist predominantly of plant materials and shall be permanently maintained in a clean, healthy, and thriving condition, free of weeds, trash and debris.
- 2. All ground mounted mechanical equipment, including heating and air conditioning units and trash receptacle areas, shall be completely screened from surrounding properties by walls, fences or plantings, or shall be enclosed within a building. Exposed gutters, downspouts, vents, louvers, and other similar elements shall be painted to match the surface to which they are attached unless they are used as part of a design theme.
- 3. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers or

meter box locations shall be included in the site plan with an appropriate screening treatment. Power lines and other cables shall be installed underground except for those thirty four (34) KV and greater.

4. Lighting. All light sources shall be shielded in such a manner that the light is directed away from streets or adjoining properties. Illuminators shall be integrated with the architecture of the building. Freestanding lamp posts shall be no taller than eighteen (18) feet. Night lighting shall be confined to the minimum necessary for security and safe vehicle and pedestrian movement. The intensity of light at the boundary of any MP zone shall not exceed seventy five (75) foot lamberts from a source of reflected light.
5. Electrical Disturbance, Heat and Cold, Glare. No use, except a temporary construction operation, shall be permitted that creates changes in temperature or direct glare, detectable by the human senses without the aid of instruments, beyond the boundaries of the site. No use shall be permitted which creates electrical disturbances that affect the operation of any equipment beyond the boundaries of the site.
6. Fire and Explosion Hazard. All storage of and activities involving inflammable and explosive materials shall be provided with adequate safety and fire fighting devices to the specifications of the Uniform Fire Code and the local fire chief. Incineration is prohibited. Adequate emergency sprinklers and smoke detectors shall be installed in all new construction and upon expansion or change of an existing use.
7. Noise. No use, except a temporary construction operation, shall be permitted which creates noise level which exceeds five decibels (as defined in the Occupational Safety and Health Act of 1970) above the ambient level of the area measured at the property line.
8. Odor. No use shall be permitted which creates odor in such quantities as to be readily detectable beyond the boundaries of the site.
9. Radioactivity. The use of radioactive materials shall be limited to measuring, gauging and calibration devices, and medical x-ray diagnostic equipment.
10. Vibration. No use, except a temporary construction operation, shall be permitted which generates inherent and recurrent ground vibration perceptible, without instruments, at the boundary of the lot on which the use is located.
11. The conversion of a project to condominium ownership shall meet all the requirements of the zone. In no case shall the requirements of the Fire Code, sign restrictions, and screening standards be waived. If there are changes to the zone, the Manufacturing & Service Park Development Plan must be amended in accordance with this Article.
12. Air Pollution. There shall be no emission on any site, for more than one minute in any hour, of air contaminants which, at the emission point or within a reasonable distance of the emission point, are as dark or darker in shade as that designated as No. 1 on the Ringelman Chart as published in the United States Bureau of Mines Information Circular 7718.
13. Outdoor Storage Areas shall be entirely enclosed by solid opaque walls six (6) feet or greater in height to screen stored materials from view from beyond the boundaries of the property, only using materials approved by the Planning Commission.
14. Testing. Whenever there is a question of conformance with the performance standards of this Section, the Township shall require the property owner or operator to engage the services of a certified testing firm. Copies of all such tests shall be furnished to the Zoning Administrator and the Township Board.

## **SECTION 23.06 ACCESSORY STRUCTURES**

1. Accessory structures shall not be located in front of the main building.
2. Accessory structures shall meet all of the setback requirements for main buildings.
3. Porches, steps, architectural features such as canopies or eaves, and chimneys, balconies or stairways may project no more than four (4) feet into any required setback area.
4. Accessory structures shall be no taller than thirty five (35) feet in height.

## **SECTION 23.07 SIGNS**

One freestanding sign or outdoor advertising structure shall be permitted in any Manufacturing and Service Park (MP) zone in addition to those allowed on each building. Such freestanding signs shall not exceed fifty (50) square feet in surface display area per side and shall not be higher than twelve (12) feet above the ground. Such signs shall be at least ten (10) feet from any street line and may be illuminated, provided the source of the illumination is not visible beyond the property lines of the parcel. Signage on buildings within an MP zone shall be limited to ten (10) percent of the area of each side of a building facing the street or parking areas, the area of each side calculated as the distance from grade to roofline times the side's length.

## **SECTION 23.08 PRELIMINARY DEVELOPMENT PLAN; APPLICATION REQUIREMENTS**

Applicants for approval of a Manufacturing and Service Park shall submit a complete application for review of a preliminary development plan to the Zoning Administrator at least twenty one (21) days prior to review by the Planning Commission. Such application shall contain all of the following:

1. Twelve (12) copies of a preliminary development plan encompassing all phases of the proposed MP, prepared at a scale not exceeding one (1) inch equals twenty (20) feet, containing the following information:
  - a. Name of development, applicant name, preparer name, if different, date of preparation, written and graphic scale, north arrow, property lines and dimensions, size of property in acres.
  - b. Identify zoning and use of all adjoining properties.
  - c. Identify existing natural features of the site, including predominant vegetative cover, major tree stands and existing drainageways.
  - d. Identify existing site improvements, including existing buildings or other structures, existing utilities with sizes shown, and any existing easements of record.
  - e. Identify existing site elevation contours at five (5) foot intervals.
  - f. Identify existing shoreline, if applicable, wetlands, and existing one hundred (100) year floodplain boundary, if applicable.
  - g. Existing right-of-way lines, pavement edges and names of public streets, driveways, and other accesses from these streets, within three hundred (300) of the proposed entryway(s) to the MP zone; and the proposed layout of new public streets or private roads.
  - h. Layout and typical dimensions of proposed lots. If the proposed MP includes construction of buildings or other structures, identify proposed footprints and dimensions, proposed number of stories; identify uses proposed within the Manufacturing and Service Park and the acreage allotted to each use.

- i. Locations of proposed driveways and parking areas.
- j. If multi-phase development is proposed, identify areas included in each proposed phase.
2. A legal description of the land included in the Manufacturing and Service Park.
3. A small-scale sketch of the vicinity of the subject property, locating the property in relation to properties, structures, streets and uses within three hundred feet (300) of the Manufacturing and Service Park.
4. A narrative statement describing the overall objectives of the Manufacturing and Service Park and a copy of the proposed covenants and restrictions that shall be placed upon future lot owners within the Manufacturing and Service Park.
5. A completed application form supplied by the Township.
6. An application fee will be charged and may be changed from time to time by resolution of the Township Board. The Planning Commission may, at its discretion, and at the applicant's expense, hire competent professional assistance to aid it in assessing a complex plan.
7. The Planning Commission may require an applicant to seek recommendations of the appropriate community fire chief, the Leelanau County Road Commission, Leelanau County Health Department, Leelanau County Drain Commissioner, the Michigan Department of Natural Resources where applicable, and any other agency or official deemed necessary and having jurisdiction in the area of the proposed development.

#### **SECTION 23.09 PLANNING COMMISSION REVIEW OF PRELIMINARY DEVELOPMENT PLAN**

1. The Planning Commission shall review the preliminary development plan at a meeting. No approval or denial action shall be taken by the Planning Commission, other than statements of general or specific direction to the applicant. Recommendations made by the Planning Commission shall be based upon its consideration of the standards for approval of a Manufacturing and Service Park contained in this Article and based upon the intent of this Article. The recommendations of the Planning Commission shall be transmitted by a copy of its minutes to the applicant, and a copy of such minutes transmitted to the Township Board.
2. In the course of its review of a preliminary development plan for a Manufacturing and Service Park, the Planning Commission may provide such notification to adjoining property owners and opportunity for public comment on the proposed Manufacturing and Service Park as it deems appropriate.

#### **SECTION 23.10 FINAL DEVELOPMENT PLAN; APPLICATION REQUIREMENTS**

Following receipt of the recommendations of the Planning Commission concerning the preliminary development plan, the applicant shall submit to the Zoning Administrator an application for review of a final development plan, incorporating the recommended preliminary development plan, at least thirty (30) days prior to the hearing at which the plan will be considered by the Planning Commission. Such application shall contain all of the following:

1. Twelve (12) copies of a final development plan, containing all of the information required of a preliminary development plan, and in addition thereto, all of the following:
  - a. Proposed site elevation contours at five (5) foot intervals, superimposed over existing site elevation contours at five (5) foot intervals.
  - b. Proposed landscaping, including location, size and species of all plant materials to be

- installed, proposed ground cover, identification of areas to be covered by automatic irrigation, and identification of significant existing plant materials to be removed or retained on the site.
- c. Layout and dimensions of all existing and proposed roads, driveways, sidewalks, curb openings and parking areas; parking areas shall include layout of proposed parking spaces and aisles, with typical dimensions, total number of spaces and the method noted by which required number of spaces was calculated.
  - d. Existing and proposed lot lines, with bearings and dimensions.
  - e. Size and location of existing and proposed water and sewer lines, hydrants, natural gas, electric, telephone, cable television and any other proposed utility lines.
  - f. Location, height and design of proposed fencing.
  - g. Location, height and style of proposed exterior lighting.
  - h. Proposed signage.
2. Legal description of the land included in the Manufacturing and Service Park.
  3. A small-scale sketch of the vicinity of the subject property, locating the property in relation to properties, structures, streets and uses within five hundred (500) feet of the Manufacturing and Service Park.
  4. A narrative statement describing the overall objectives of the Manufacturing and Service Park and the proposed covenants and restrictions covering the future lot owners in the Manufacturing and Service Park.
  5. A completed application form provided by the Township.
  6. Payment of a fee which shall be established from time to time by resolution of the Township Board.

#### **SECTION 23.11 NOTICE AND PUBLIC HEARING**

1. Upon receipt of an application for approval of a final development plan for a Manufacturing and Service Park, the Planning Commission Secretary shall cause notice to be given, in accordance with the Zoning Act.
2. Following notice, the Planning Commission shall hold a public hearing on the proposed Manufacturing and Service Park, for the purpose of receiving public comment on the application.

#### **SECTION 23.12 PLANNING COMMISSION ACTION**

1. Following the public hearing, the Planning Commission shall review the final development plan for Manufacturing and Service Park, and shall recommend to the Township Board approval, denial or approval with conditions, based on consideration of the standards for approval contained in Section 22.14 and may also include the requirement for a surety bond.
2. The recommendation of the Planning Commission shall be incorporated in a statement of conclusions specifying the basis of the recommendation and any conditions included in the recommendation. The statement of conclusions, including recommended conditions attached to an approval recommendation, if any, shall be transmitted to the Township Board and to the Leelanau County Planning Commission.

#### **SECTION 23.13 TOWNSHIP BOARD ACTION**

1. The Board shall review the proposed Manufacturing and Service Park, the report and recommendation of the Planning Commission and the comments received at the public hearing, and the comments and recommendations of the County Planning Commission, and shall take action to approve, deny or approve with conditions the Manufacturing and Service Park. The Board shall approve the Manufacturing and Service Park only if it complies with all of the standards for approval contained in Section 23.1.
2. In taking action, the Board shall state for the record its conclusions with respect to the Manufacturing and Service Park, the basis for its decision, the decision, and any conditions imposed on an approval.
3. The Board may impose reasonable conditions in conjunction with the approval of a Manufacturing and Service Park. The conditions may include conditions necessary to insure that public services and facilities effected by the Manufacturing and Service Park will be capable of accommodating increased loads caused by the Manufacturing and Service Park, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

#### **SECTION 23.14 STANDARDS FOR APPROVAL**

The Board shall approve a Manufacturing and Service Park only if it complies with each of the following standards:

1. The proposed Manufacturing and Service Park is consistent with and promotes the intent of this Article and Ordinance and the Township Master Plan.
2. The proposed Manufacturing and Service Park is a suitable use of the land.
3. The native terrain and natural environment in and around the zone has been treated responsively and carefully.
4. The Manufacturing and Service Park will not unduly burden public services and facilities.
5. The Manufacturing and Service Park is consistent with the public health, safety and welfare of the Township.
6. Safe and efficient ingress and egress has been provided to the property, with particular reference to pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.
7. The buildings and other structures, parking, lighting, signs, refuse storage, landscaping and other elements of the proposed Manufacturing and Service Park are judiciously designed and placed to minimize or exclude harmful effects upon surrounding properties and properties within the Manufacturing and Service Park.

#### **SECTION 23.15 CONFORMITY WITH MP REQUIRED**

Following approval of a Manufacturing and Service Park by the Township Board, no construction on the land included in the Manufacturing and Service Park shall be undertaken, unless such construction is in conformity with the final development plan for the Manufacturing and Service Park and with any conditions imposed in conjunction with the approval of the Manufacturing and Service Park by the Township Board. A copy of the recorded approved covenants and restrictions shall be provided to the Clerk before any building permit may be issued.



### **SECTION 23.16 CHANGES TO AN APPROVED MANUFACTURING AND SERVICE PARK**

No changes to an approved final development plan for a Manufacturing and Service Park shall be made, except by mutual agreement between the applicant and the Township. Revisions to an approved final development plan or to any conditions imposed on an approval shall be processed in the same manner as an application for approval of a final development plan, as specified in Sections 23.07-23.09

### **SECTION 23.17 TIME LIMIT FOR APPROVED MANUFACTURING AND SERVICE PARKS**

1. For each approved Manufacturing and Service Park, construction shall be commenced and shall proceed meaningfully toward completion within one (1) year from the date of the approval of the Manufacturing and Service Park by the Township Board.
2. The owner or applicant of the Manufacturing and Service Park may apply to the Township Board for one (1) extension of the original approval for an additional term of one (1) year. The Township Board may, in its discretion, authorize this extension. In considering such authorization, the Township Board shall consider the following standards:
  - a. The Manufacturing and Service Park has encountered unforeseen difficulties beyond the reasonable control of the owner/applicant.
  - b. The Manufacturing and Service Park has a likelihood of now proceeding.
3. If the Manufacturing and Service Park has not commenced and proceeded meaningfully toward completion at the end of the initial one (1) year time period, or the permitted extension thereof, then the Manufacturing and Service Park approval shall be automatically invalid and the properties shall revert to the zoning that was in place before the Manufacturing and Service Park Zone was created.